

REMARKS

Claims 1-18 are pending in the application, are rejected, and are at issue.

Submitted herewith is a copy of drawing sheet 5/5 showing Fig. 5 with a proposed correction indicated in red ink. The specification is amended consistent with the corrected drawing. Particularly, the specification is amended to recite that the second set of short links can be defined by the end plates 68 or by a separate short link adjoined to the end plate. Support for this change is found in claim 1 of the application as filed. No new matter is added. The drawing is amended consistent with the claim and amended specification. Applicant submits that a detailed illustration is not essential for a proper understanding of the invention so that the drawing as submitted is proper under 37 CFR §1.83.

Applicants request that the objection to the drawings be withdrawn.

Applicants traverse the rejection of claim 1 as indefinite under §112. Claim 1 specifies that a part of the frame defines one of the short links or that a short link is joined to the frame. A first two of the pivots of each linkage of each pair are pivoted to the short link, i.e., the part of the frame defining the short link or the short link joined to the frame. The specification at page 12, lines 5-10, indicates that the short link is defined by the plates 50, 52 and 54. The specification further states that the short links can be integrally formed with the cross members or be on separate plates secured to the cross members. The claim is consistent in describing the short link as a part of the frame or a short link joined to the frame. The claim defines one of two specific limitations to define the short link and recites that a first two of the pivots of each linkage of each pair are pivoted to the particular short link. Similar terminology is used in lines 17-20 with respect to the

second two of the pivots and the second of the short links. As such, applicants submit that the language is not indefinite and that the rejection of claim 1 should be withdrawn.

Applicants traverse the rejection of claims 1-18 as anticipated by Hagenbuch et al. U.S. Patent No. 6,439,668.

Independent claim 1 specifies a transporter and storage unit comprising an elongated vehicle frame having a front and a rear interconnected by elongated opposite sides. Ground engaging means are provided on the frame whereby the frame may traverse the underlying terrain. At least two movable elongated objects supports extend outwardly from the rear on at least one of the sides above the frame. The object supports are movable between positions overlying the frame and positions substantially engaging the underlying terrain. A pair of parallelogram linkages are provided for each of the object supports, each having long links and short links, and have pivots at corresponding ends of the links and interconnecting the same. A first two of the pivots of each linkage of each pair are pivoted to a part of the frame defining one of the short links or to a short link joined to the frame. The first two pivots for the linkages of each pair are aligned with one another. A second two of the pivots of each linkage of each pair are pivoted to a part of a corresponding one of the object supports defining a second one of the short links or to a short link joined to the object support. The second two pivots for the linkages of each pair are aligned with one another.

An anticipation can be established only by a single prior art reference disclosing each and every element of the invention, arranged as in the claim.

Hagenbuch et al. does not disclose or suggest a transporter and storage unit including an object support movable between positions overlying a frame and positions substantially engaging underlying terrain, or parallelogram linkages having long links and short links.

Hagenbuch et al. is directed to a container handling vehicle for carrying and dumping a load. Particularly, referring to Figs. 25 and 26, one container 30 on the right is shown in the stowed position and on the left another container 26 is shown in a dump position. Both positions are at approximately the same height. The container never engages an underlying terrain. Hagenbuch et al. does not anticipate claim 1 for this reason.

Hagenbuch et al. discloses a four-bar mechanical linkage 182. However, the linkage is not a parallelogram linkage, as recited in claim 1. As is known, a parallelogram has opposite sides parallel and equal. The links in Hagenbuch et al. comprise a pair of opposite links 182 and 184. These links are not parallel. Nor are they equal. The second set of opposite links is formed by the container cradle 122 and the support structure 117. The support structure 117 is L-shaped and is substantially longer than any of the other links. The link formed by the container cradle 122 is substantially shorter. As such, there is not a first and second short link disclosed. Clearly, this is not a parallelogram linkage nor does it provide any motion similar to a parallelogram. This is apparent in viewing Fig. 25 and comparing the left side and right side and the movement of the linkage members. Hagenbuch et al. does not anticipate claim 1 for this reason as well.

Because Hagenbuch et al. does not disclose each and every element of claim 1, arranged as in the claim, there is no anticipation and the rejection is improper. Moreover, claim 1 is not obvious over Hagenbuch et al. The use of a parallelogram linkage would not serve the

intended purpose of dumping the container set forth in Hagenbuch et al. Thus, there is no motivation to modify the teachings of Hagenbuch et al. Moreover, Hagenbuch et al. is not directed to moving an object support to a position substantially engaging the underlying terrain.

Claims 2-12 depend from claim 1 and are allowable for the same reasons therefor.

The deficiencies with respect to Hagenbuch et al. and claim 1 apply similarly to claim 13 which also recites these limitations. Therefore, claim 13 and its dependent claims 14 and 15 are not anticipated or obvious over Hagenbuch et al.

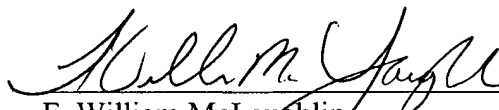
Independent claim 16 specifies an apparatus including a plurality of parallelogram linkages. Cradles are mounted to the linkages and are movable between positions including one substantially engaged with terrain underlying a frame. Claim 16 and its dependent claims 17 and 18 are not anticipated or obvious over Hagenbuch et al. for the same reasons discussed above relative to claim 1.

For the above reasons, claims 1-18 are believed allowable and withdrawal of the rejection is requested.

Reconsideration of the application and allowance and passage to issue are requested.

Respectfully submitted,

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F. William McLaughlin
Reg. No. 32,273

WOOD, PHILLIPS, KATZ,
CLARK AND MORTIMER
Citicorp Center, Suite 3800
500 W. Madison Street
Chicago, IL 60661-2511
(312) 876-1800